

Carmen A. Nicolaou (CN-5518)

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Attorneys for Defendants

Michel S. Wang, Victoria Wang as

Trustee of The Richardson Irrevocable Trust,

Terrance Wu, and Deh-Jung Deborah Wang

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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EDWARD SHIN,

Docket No.: 1:17 CV-05183 (SMG)

Plaintiff,

ATTORNEY DECLARATION

-against-

YSE ENTERPRISES, INC., MICHEL S. WANG, VICTORIA
WANG as TRUSTEE OF THE RICHARDSON
IRREVOCABLE TRUST, TERRANCE WU, DEH-JUNG
DEBORAH WANG, AND YOUNK K. LEE,

Defendants.
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CARMEN A. NICOLAOU, ESQ., an attorney duly licensed to practice in the State of New York and before the United States District Court Eastern District of New York, declares under penalty of perjury pursuant to 28 U.S.C. 1746, as follows:

1. I am a Partner of the law firm Chartwell Law, attorneys for defendants MICHEL S. WANG, VICTORIA WANG as TRUSTEE OF THE RICHARDSON IRREVOCABLE TRUST, TERRANCE WU, DEH-JUNG DEBORAH WANG (hereinafter collectively “Wang Defendants”). As such, I am fully familiar as with the facts and circumstances set forth herein.

2. This declaration, as well as the accompanying exhibits, Affidavit of Michel Wang, Rule 56.1 Statement of Facts, and Memorandum of Law are submitted in support of Wang Defendants' Motion for Summary Judgment pursuant to Fed. R. Civ. P. 56.

3. For a true and accurate copies of plaintiff's Summons and Verified Complaint, the Court is respectfully referred to **Docket No: 1**.

4. For a true and accurate copy of YS2 Enterprise Inc.'s Answer, the court is respectfully referred to **Docket No: 14**.

5. For a true and accurate copy of YS2 Enterprises Inc.'s Third-Party Complaint against the Wang Defendants and Young K. Lee, the Court is respectfully referred to **Docket No: 20**.

6. For a true and accurate copy of Plaintiff's Amended Complaint adding the Wang Defendants and Young K. Lee, the Court is respectfully referred to **Docket No: 29**.

7. For a true and accurate copy of Wang Defendants Answer to the Third-Party Complaint, the Court is respectfully referred to **Docket No: 31**.

8. For a true and accurate copy of plaintiff's Second Amended Complaint the Court is respectfully referred to **Docket No: 33**.

9. For a true and accurate copy of Wang Defendants, YS2 Enterprises Inc., and Lee's respective Answers to the plaintiff's Second Amended Complaint, the Court is respectfully referred to **Dockets Nos: 34, 37, 40, 42, 43, 44, and 46**.

10. This motion is filed pursuant to the Court's Order of January 22, 2020 and March 9, 2020. *See* **Docket No: 71**.

11. A true and accurate copy of Plaintiff's First Set of Interrogatories dated October 31, 2018, in response to Wang Defendants Demand is annexed hereto as **Exhibit A**.

12. A true and accurate copy of deposition transcript of Plaintiff, Edward Shin, held on February 1, 2019, is annexed hereto as **Exhibit B**.

13. A true and accurate copy of deposition transcript of non-party witness, Daniel Park, held on May 21, 2019, is annexed hereto as *See* **Exhibit C**.

14. A true and accurate copy of deposition transcript of non-party witness, John Kim, held on May 21, 2019, is annexed hereto as **Exhibit D**.

15. A true and accurate copy of deposition transcript of Joshua So, who testified on behalf of YS2 Enterprises Inc., held on March 15, 2019, is annexed hereto as **Exhibit E**.

9. A true and accurate copy of the deposition transcript of non-party witness Chung K. Lee, held on May 28, 2019, is annexed hereto as **Exhibit F**.

10. A true and accurate copy of the security footage capturing the alleged incident is annexed hereto as **Exhibit G**.

11. A true and accurate copy of the deposition transcript defendant Young K. Lee, held on April 15, 2019 is annexed hereto as **Exhibit H**.

12. A true and accurate copy of plaintiff's liability expert disclosure of William Marletta, is annexed hereto as **Exhibit I**.

13. A true and accurate copy of photographs of the staircase marked as exhibits during plaintiff's deposition, are annexed hereto as **Exhibit J**.

14. A true and accurate copy of the deposition transcript of William Marletta, dated December 16, 2019, is annexed hereto as **Exhibit K**.

Dated: White Plains, New York
April 3, 2020

Carmen A. Nicolaou

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Attorneys for Defendants

MICHEL S. WANG, VICTORIA WANG as

TRUSTEE OF THE RICHARDSON

IRREVOCABLE TRUST, TERRANCE WU, DEH-

JUNG DEBORAH WANG

CERTIFICATE OF SERVICE

I, **CARMEN NICOLAOU, ESQ.**, hereby certify that on September 27, 2019, the foregoing document, **ATTORNEY DECLARATION** served in accordance with the Federal Rules of Civil Procedure, and/or the Eastern District's Local Rules, and/or the Eastern District's Rules on Electronic Service, and by electronic service, upon the following parties and participants:

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